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July 20, 2020

VIA ECF  
Hon. Peggy Kuo  
United States Magistrate Judge  
for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: Kashmir Gill v. JUS Broadcasting Corp.,  
et al., Case No. 1 :19-cv-04216 (ILG)(PK)**

Dear Judge Kuo:

I represent the defendants in the above-entitled litigation.

I am enclosing the Proposed Discovery Plan/Scheduling Order as prepared by defendants.

Mr. Ackerman and I made a good-faith attempt to submit a single consensual order, but there were some important issues to which we could not agree.

From my standpoint, the primary difficulty is that plaintiff Kashmir Gill has not produced a single document, although his time to make such production in response to defendants' document demand is long overdue.

Needless to say, I had hoped Mr. Ackerman and I could have agreed on a schedule. But, for the reason mentioned given Mr. Gill's failure to produce a single document on a timely basis and the likely necessity of my having to make a motion to compel compliance, the date I have proposed in the accompanying schedule appears more realistic than the date Mr. Ackerman has proposed. Obviously, I cannot effectively take Mr. Gill's deposition with no document production by him. I therefore urge the Court to "So Order" defendants' enclosed proposed schedule.

Respectfully submitted,



Paul Batista

PB:wlg

cc: All Counsel on Service List

Case Name: Kashmir Gill v. JVS Broadcasting Case Number: 19 CV - 04216 (ILG) (PK)**PROPOSED DISCOVERY PLAN/SCHEDULING ORDER**

	DONE	NOT APPLICABLE	DATE
<b>A. ACTIONS REQUIRED <u>BEFORE</u> THE INITIAL CONFERENCE</b>			
1. Rule 26(f) Conference held	X		
2. Rule 26(a)(1) disclosures exchanged	X		
3. Requested:			
a. Medical records authorization	N/A		
b. Section 160.50 releases for arrest records	N/A		
c. Identification of John Doe/Jane Doe defendants	N/A		
4. Procedures for producing Electronically Stored Information (ESI) discussed			
5. Confidentiality Order to be submitted for court approval (see Proposed Confidentiality Order on the Chambers website)			
<b>B. SETTLEMENT PLAN</b>			
1. Plaintiff to make settlement demand		X	
2. Defendant to make settlement offer		.	
3. Referral to EDNY mediation program pursuant to Local Rule 83.8? (If yes, enter date to be completed)		X	
4. Settlement Conference (proposed date)			10/15/20
<b>C. PROPOSED DEADLINES</b>			
1. Motion to join new parties or amend pleadings		X	
2. Initial documents requests and interrogatories	X		
3. All fact discovery to be completed (including disclosure of medical records)			9/20/20 <sup>①</sup>
4. Joint status report certifying close of fact discovery and indicating whether expert discovery is needed			9/20/20
5. Expert discovery (only if needed) <span style="float: right;">Check here if not applicable <input type="checkbox"/></span>			

① Proposed date because plaintiff has not produced any documents on a timely basis



Plaintiff expert proposed field(s) of expertise:	Accountant		
Defendant expert proposed field(s) of expertise:	Accounting forensic expert		
	DONE	NOT APPLICABLE	DATE
a. Affirmative expert reports due			10/30/20
b. Rebuttal expert reports due			11/30/20
c. Depositions of experts to be completed			12/15/20
6. Completion of ALL DISCOVERY (if different from C.3)			12/15/20
7. Joint status report certifying close of ALL DISCOVERY and indicating whether dispositive motion is anticipated			12/15/20
8. If any party seeks a <b>dispositive motion</b> , date to (a) file request for pre-motion conference (if required), or (b) file briefing schedule for the motion			12/20/20
9. Proposed Joint Pre-Trial Order due (if no dispositive motion filed)			1/15/21
<b>D. CONSENT TO MAGISTRATE JUDGE JURISDICTION</b>			
1. All parties consent to Magistrate Judge jurisdiction for dispositive motion?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
2. All parties consent to Magistrate Judge jurisdiction for trial?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>E. COLLECTIVE ACTION AND CLASS ACTION MOTIONS ONLY</b>			
1. Motion for collective action certification in FLSA cases			
a. Response due			
b. Reply due			
2. Motion for Rule 23 class certification			
a. Response due			
b. Reply due			

This Scheduling Order may be altered or amended only upon a showing of good cause based on circumstances not foreseeable as of the date of this order.

SO ORDERED:

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**PEGGY KUO**  
 United States Magistrate Judge

\_\_\_\_\_  
 Date